



TRACE CHURCH - CONDITIONAL USE

Planning Commission January 10, 2024

Staff Report by Case Planner: Allison Stocker, AICP



Quick Facts

Applicant

Trace Church

Property Owner

JCA MD TWO LLC

Developer

YOW Architects

Address / Location

4330 Mark Dabling Blvd

TSN(s)

6330205007

Zoning and Overlays

Light Industrial (LI)

Site Area

5.93 acres

Proposed Land Use

Religious Institution

Applicable Code

UDC

Project Summary

A conditional use to allow a religious institution use in the Light Industrial (LI) zone district consisting of 5.93 acres located at 4330 Mark Dabling Boulevard.

File Number	Application Type	Decision Type
# CUDP-23-0019	Conditional Use	Quasi-Judicial

Background

Prior Land-Use History and Applicable Actions

<i>Action</i>	<i>Name</i>	<i>Date</i>
Annexation	Young's Addition	April 1967
	Holland Park Addition #4	January 1961
	Pate's Addition	September 1966
Subdivision	Budweiser Subdivision Filing No. 2	November 1997
Master Plan	N/A	
Prior Enforcement Action	N/A	

Site History

The subject site consists of one 5.93 acre lot that generally consists of a storage / warehouse (61,098 square feet), parking areas, landscaped areas, and outdoor vehicle storage areas. The main building was constructed in 1978 and has an interior floor area of 61,098 square feet. This site has had a long-term occupancy by the Anheuser-Busch company as a distribution center.

To support the conversion of this site from the warehouse / storage use to the proposed religious institution use, the Applicant must receive a conditional use approval (subject application) and complete a development plan major modification. The subject application will be accompanied by a Land Use Statement which shall describe the scope of work associated with the conversion and a more detailed development plan major modification application shall provide further detail. Per Section 7.5.516.C1, changes of use that create a more intense land use are required to undergo the major modification process. This application (DEPN-23-0236) is currently being reviewed to ensure that specific site improvements are compliant with Use-Specific Standards and that the site is brought into compliance with the UDC and will be an administrative action.

Applicable Code

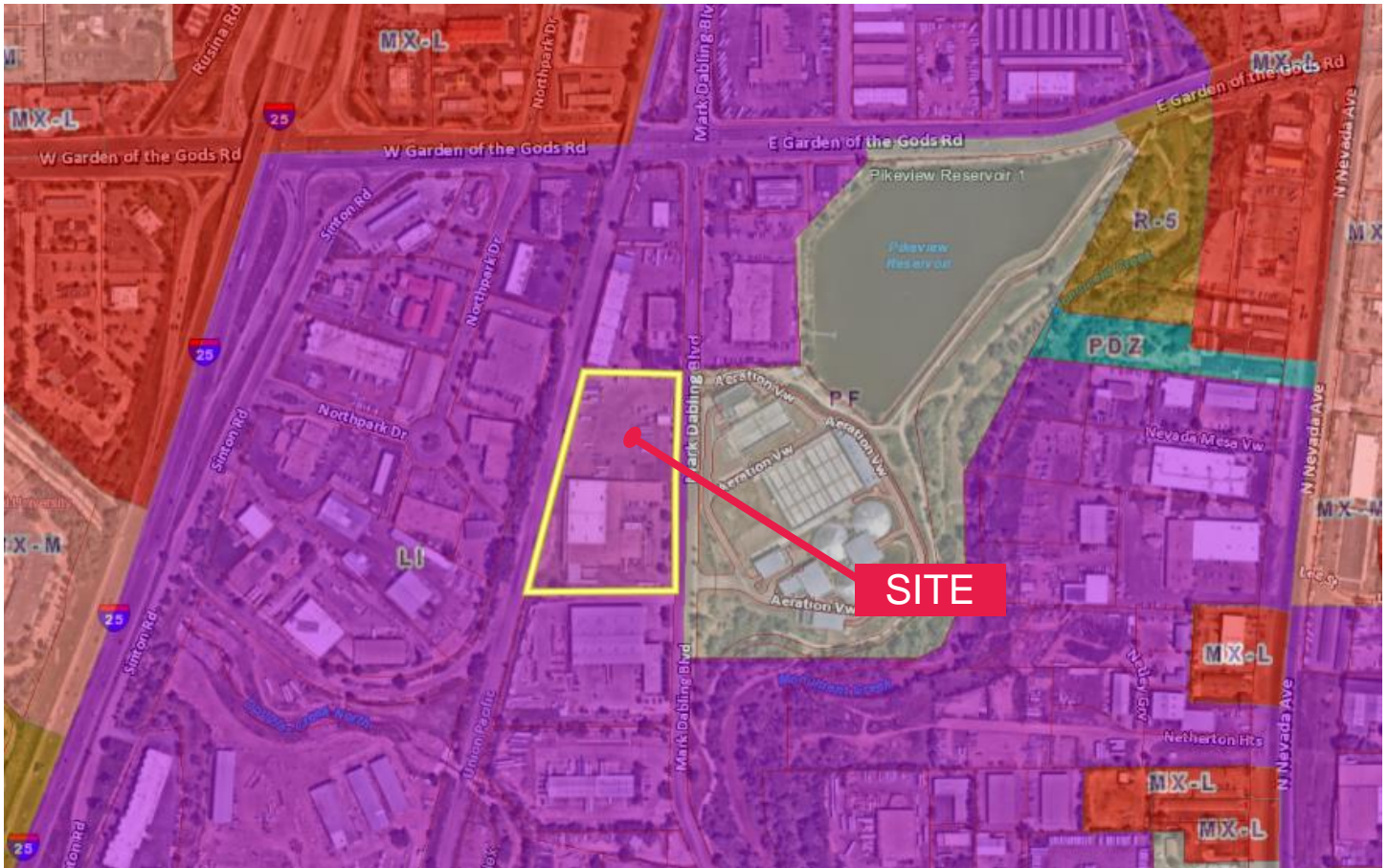
The subject application was submitted after the implementation date (06/05/2023) of the ReTool project, and as such, the applicant is permitted to elect which Code they prefer their application be reviewed under. The subject application was chosen to be reviewed under the Unified Development Code per the applicant's instructions. All subsequent references within this report that are made to "the Code" and related sections are references to the Unified Development Code.

Surrounding Zoning and Land Use

Adjacent Property Existing Conditions

	<i>Zoning</i>	<i>Existing Use</i>	<i>Special Conditions</i>
North	LI	Warehouse / Storage	
West	LI	Warehouse / Storage	Union Pacific Rail
South	LI	Warehouse / Storage	

Zoning Map



Stakeholder Involvement

Public Notice

Public Notice Occurrences (Poster / Postcards)	2 occurrences
Postcard Mailing Radius	1000'
Number of Postcards Mailed	45 postcards
Number of Comments Received	0 comments received

Public Engagement

This application was noticed on two occasions. The first notice was completed as the application was beginning its administrative review and a subsequent notice was completed to alert the neighboring property owners of the upcoming public hearing. No public comments were received for this application.

The related Development Plan Major Amendment application (DEPN-23-0236) has completed its public notice at the beginning of its administrative review. No comments were received on this application as well.

Timeline of Review

Initial Submittal Date	September 2023
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Number of Review Cycles	2
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Item(s) Ready for Agenda	December 2023
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Agency Review

Agency reviewers did not have any major comments regarding the proposed use. Comments received on this project were primarily related to site design and improvements which are to be reviewed and resolved under the concurrent development plan major amendment application (DEPN-23-0236). Agency reviewers have no objections to this use.

Conditional Use Application

Summary of Application

The Applicant (Trace Church) proposes the conversion of this site to Religious Institution for the Church to relocate from their existing location at 5805 Mark Dabling Blvd. The conversion of this space is intended to serve a principal auditorium that seats eight hundred (800 seats) and other break out spaces which can be used for various programming. The guiding entitlement which is accompanying this conditional use is the land use statement.

Exterior improvements are being reviewed concurrent to the conditional use application under DEPN-23-0236. Other exterior site improvements will be made in addition to the interior renovations to support the conversion of this site.

Conditional Use Application - Review Criteria

Below are the three review criteria as outlined in zoning code Section 7.5.601. The Applicant meets these criteria as follows:

1. The application complies with any use-specific standards for the use in Part 7.3.3 (Use-Specific Standards). Religious Institutions must comply with Use-Specific standards that are included in Section 7.3.303.B. These standards include that if the principal auditorium holds over 300 people that the religious institution should be located on a lot of at least four (4) acres. The subject parcel is 5.93 acres and meets the size requirement per this Section of Code.

There is a second use-specific criteria included in Section 7.3.303.B. However, after extensive conversation between the Planning Manager and the City Attorney's Office, it was determined that this standard is in direct opposition with the Religious Land Use and Institutionalized Person's Act. This standard specifically requires that,

“all principal and accessory buildings shall be set back at least fifty (50) feet from the property line.” It was found that this set back requirement would have an adverse impact on the ability of Religious Institution’s to occupy pre-existing structures and create a real barrier toward developing new structures. As such, it is the determination of the Planning Manager that this standard shall be disregarded and shall be amended in the future.

2. The size, scale, height, density, multimodal traffic impacts, and other impacts of the use are compatible with existing and planned uses in the surrounding area, and any potential adverse impacts are mitigated to the extent feasible; and

The Applicant has indicated that there will be no major changes to the building, which means the size, scale, and height of the building will remain the same. Interior renovations will be used to convert the interior spaces into appropriate spaces for various programming. All other exterior site improvements shall be reviewed and documented in the development plan major amendment application (DEPN-23-0236).

The conversion of the existing structure into a Religious Institution is not anticipated to generate any impacts to traffic. This location is ideal for a large Religious Institution because it offers adequate capacity for traffic and the height of traffic generated by this use is offset from adjacent uses. The immediate area is primarily warehouse / storage uses that operate during the standard work-week, whereas the Religious Institution’s main traffic generating days are over the weekend. The site has direct access to Mark Dabling Blvd (minor arterial), and is located between Interstate-25 and the Nevada Avenue corridor. Additionally, this site is within reasonable distance of the Pikes Peak Greenway Trail and the North Douglas Creek Trail, which can offer an alternative option to vehicle trips. Traffic Engineering does not have any comment regarding this conversion.

The review of the associated development plan record (DEPN-23-0236) will ensure that the conversion of the site meets all relevant UDC Code Sections such as ensuring that the site provides adequate parking, lighting, and internal circulation for vehicles and pedestrians.

3. The City’s existing infrastructure and public improvements, including but not limited to its street, trail, and sidewalk systems, have adequate capacity to serve the proposed development and any burdens on those systems have been mitigated to the maximum extent feasible.

The review of this conditional use by review agencies has indicated that this site has adequate capacity to facilitate this change of use. Preliminary reviews of the associated development plan major amendment (DEPN-23-0236) have indicated that minimal site improvements will be needed (subject to change).

Staff has evaluated this application based on the review criteria for Conditional Uses (Section 7.5.601) application and have found that this application meets these criteria.

Compliance with Development Standards

Below are development standards applicable to the Business Park zone district.

Development Standards	Required	*Proposed
Setbacks		
Front:	20ft	N/A
Side	Per Landscape -	N/A
Rear	Requirements	N/A
Front Parking Lot Setback	20ft	N/A

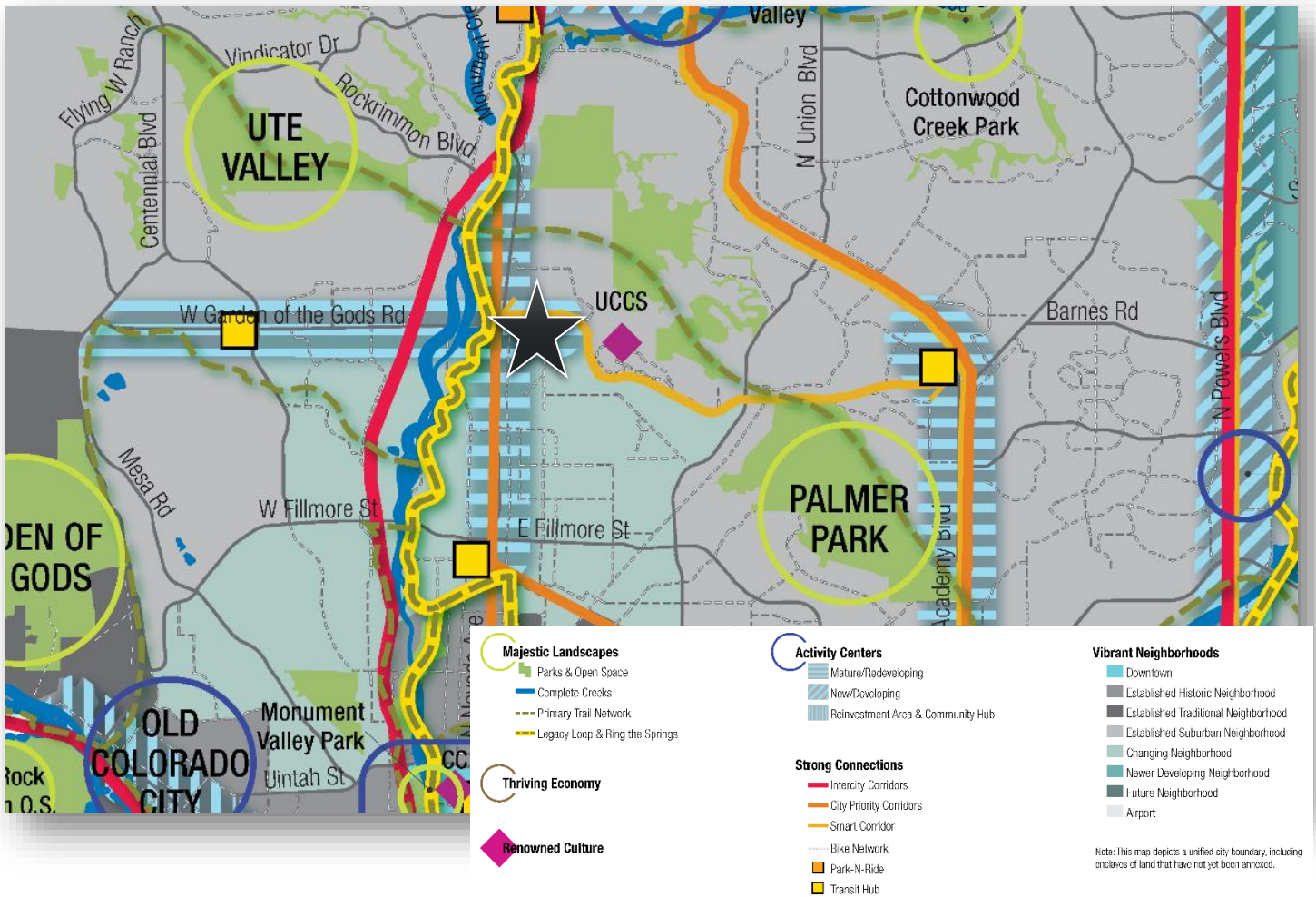
Parking	Text	Text
Building Height	60 ft	N/A

*The "Proposed" standards are not applicable to this project as the building is existing on site. The Applicant intends to move into the existing structure and there are no proposed changes to the building configuration currently.

Compliance with Relevant Guiding Plans and Overlays

This site is not within any overlays, Master Planned areas, or other areas which have additional guiding plans.

PlanCOS Vision



The subject site is located in the Mature / Redeveloping Typology on the PlanCOS Vision Map. This is in an area that is evolving with in-fill development and adaptive re-use along the North Nevada Corridor.



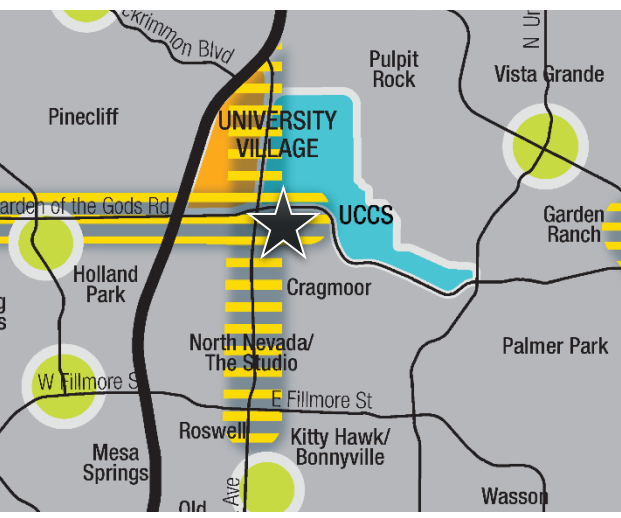
Renowned Culture

The subject site is located just west of the “Creative Districts and Corridor” which overlays the North Nevada corridor.

This project furthers **Strategy RC-5.A-1** which encourages meaningful relationships with non-profits and religious institutions in order to create community spaces.

Predominant Typology

- Defining Institutions
- Historic Districts
- Creative Districts and Corridors
- Cultural and Tourist Attractions
- Community Assets
- Pop-Up Culture



Unique Places

The subject site is generally located within a “Mature / Redeveloping Corridor” which extends along Garden of the Gods Road and the North Nevada Avenue corridor.

The adaptive re-use of this site is supported by **Policy UP-2.A:** “Support infill and land use investment throughout the mature and developed areas of the city”.

Predominant Typology

- Neighborhood Centers
- Community Activity Centers
- Entertainment and Commercial Centers
- Regional Employment and Activity Centers
- Downtown
- ▨ Mature/Redeveloping Corridors
- ▨ New/Developing Corridors
- ▨ Reinvestment Area and Community Hub

Statement of Compliance

CUDP-23-0019

After evaluation of the Trace Church Conditional Use, it was found that the application meets the review criteria in Section 7.5.601.